

I am opposed to the NAB Petition for Declaratory Ruling.

I would like to briefly address each point brought up by the NAB petition.

1) prohibit satellite digital audio radio service (“SDARS”) from using any technology to permit the delivery of content that would be aired on a receiver in one location that differs from the content that would be aired on a receiver in a different location.

The most important reason to deny this portion of the petition is obvious: limited spectrum. If the NAB wants to require that all localized programming be broadcast to every receiver, then they are requiring SDARS to waste a precious resource. There is no reason to broadcast traffic reports for Boston to listeners in Los Angeles.

2) prohibit SDARS providers from providing locally oriented services on nationally distributed channels.

This is simply anti-competitive. I have not listened to commercial radio in my market in more than ten years for the simple reason that they do not provide the music or news programming that I am interested in without the constant blathering of advertisements. While I still desire to hear local weather and traffic updates, I am unwilling to sit through unending and inane commercials to hear them. Commercial and even “public” radio stations in my market have not yet received that message. Capitalism is based on free competition. If SDARS have a better idea to bring me what I want to listen to and a better strategy to make a profit doing so, then the local broadcasters have no right to exploit the powers of this body to force the SDARS to operate at a disadvantage.

3) Alternatively, NAB requests the Commission to reopen the SDARS licensing proceeding to evaluate the impact of the service on local broadcasting.

Again, the SDARS have the same right to operate as the NAB. Just because the NAB were in existence first does not give them the right to use this body’s power to distribute spectrum to bully them into a poor competitive position for their own benefit.

Competition is the cornerstone of our nation and our economy. The NAB has been without any for more than forty years since the advent of television and FM radio, and it has long forgotten how to respond to it. It is now using every tool in it’s arsenal to avoid responding to it rather than rising to the challenge and raising the quality of its own programming. Stations in my area could be conducting surveys to find out what I want to be listening to on the radio. They could be asking me why I don’t listen to the radio. They could be reducing the number of minutes an hour that they play advertising. But instead, they have chosen to hire lawyers to manipulate the system to avoid doing these things

I thank you for the opportunity to express these views.